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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,995	02/12/2002	Velvin R. Hogan	VRH01	7162

7590 07/13/2006

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EXAMINER

CHOWDHURY, NIGAR

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/074,995	Applicant(s) HOGAN, VELVIN R.	
	Examiner Nigar Chowdhury	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/12/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 15-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-14, drawn to a video system includes a feature of "a system controller module operative to receive and process one or more input signals to provide one or more video files", classified in class 386, subclass 46.
 - II. Claims 15-25, drawn to a method for storing video data to a storage device includes a feature of "forming one or more records implemented as a link list, wherein each record includes a first field for storing and address of a next record, if one exists, and a second field for storing at least a portion of the video data", classified in class 386, subclass 69.
 - III. Claims 26, 27, drawn to a video recording storage system includes a feature of "a media content delivery system; a first switch, coupled to the media content delivery system; a second switch including a cable modem termination system, wherein the second switch is coupled to the first switch; a block splitter, coupled to the second switch and the cable modem termination; one or more cable modems, wherein the one or more cable modems are coupled to the block splitter", classified in class 725, subclass 143.

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The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination that teaches the feature of “a system controller module operative to receive and process one or more input signals to provide one or more video files” as recited in claims 1-14 of Group I, has separate utility such as the feature of “forming one or more records implemented as a link list, wherein each record includes a first field for storing and address of a next record, if one exists, and a second field for storing at least a portion of the video data”, as recited in claim 15-25 of Group II. See MPEP § 806.05(d).

3. Inventions I and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination that teaches the feature of “a system controller module operative to receive and process one or more input signals to provide one or more video files” as recited in claims 1-14 of Group I, has separate utility such as the feature of “a media content delivery system; a first switch, coupled to the media content delivery system; a second switch including a cable modem termination system, wherein the second switch is coupled to the first switch; a block splitter, coupled to the second switch and the cable modem termination; one or more cable modems,

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wherein the one or more cable modems are coupled to the block splitter”, as recited in claims 26, 27 of Group III. See MPEP § 806.05(d).

4. Inventions II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination that teaches the feature of “forming one or more records implemented as a link list, wherein each record includes a first field for storing and address of a next record, if one exists, and a second field for storing at least a portion of the video data”, as recited in claim 15-25 of Group II, has separate utility such as the feature of “a media content delivery system; a first switch, coupled to the media content delivery system; a second switch including a cable modem termination system, wherein the second switch is coupled to the first switch; a block splitter, coupled to the second switch and the cable modem termination; one or more cable modems, wherein the one or more cable modems are coupled to the block splitter”, as recited in claims 26, 27 of Group III. See MPEP § 806.05(d).

5. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

6. During a telephone conversation with Kevin Roe on 07/05/2006 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-14. Affirmation of this election must be made by applicant in replying to this Office action.

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Claims 15-27 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-4, 7-10, 14 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,311,011 by Kuroda.

8. Regarding claim 1, a video system comprising:

- A system controller module operative to receive and process one or more input signals to provide one or more video files (Fig. 2. Receiver 101, tuner 102, storage device 103, 105, recording controller 104)
- An internal fixed storage device operatively coupled to the system controller module, wherein the internal fixed storage device is configured to store the one or more video files from the system controller module (Fig. 2 (103). Col. 4 line 25-29)

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- An internal removable media storage device operatively coupled to the system controller module, wherein the internal removable media storage device is configured to store the one or more video files from the system controller module or the internal fixed storage device (Fig. 2 (105). Col. 4 line 38-41).

9. Regarding claim 2, the video system of claim 1, wherein the system controller module includes:

- A tuner configured to receive and process the one or more input signals and provide video information (Col. 4 line 18-24)
- A processing module coupled to the tuner, wherein the processing module is configured to receive and process a signal from the tuner and to provide an output video signal (Col. 4 line 12-17)
- A memory unit configured to store the one or more video files (Fig. 2 (103, 105). Col. 4 line 25-29, 38-41)

10. Regarding claim 3, the video system of claim 2, wherein the system controller module further includes a decoder coupled to the tuner, wherein the decoder is configured to receive and decode video data from the tuner to provide a decoded file (Col. 6 line 66-Col. 7 line 10, Col 7 line 42-48)

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11. Regarding claim 4, the video system of claim 3, wherein the system controller module further includes a coder/decoder operatively coupled to the decoder, wherein the coder/decoder is configured to receive and compress the decoded file to provide a compressed video file suitable for storage to the internal fixed storage device or the internal removable media storage device (Col. 8 line 19, 20, 25-31).

12. Regarding claim 7, the video system of claim 1, wherein the system controller module is further configurable to receive and process one or more video files from the internal fixed storage device or the internal removable media storage device (Col. 7 line 65-Col. 8 line 5. Col. 8 line 62-67)

13. Regarding claim 8, the video system to claim 1, wherein the system controller module is further configurable to capture and interval of a particular input signal and to store the captured data within a video file suitable for replay at a later time (Col. 4 line 38-50)

14. Regarding claim 9, the video system of claim 8, wherein the interval of a particular input signal is user selectable (Col. 4 line 38-50)

15. Regarding claim 10, the video system of claim 1, wherein the system controller module is further configurable to capture selected sections of a particular input signal

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and to store the selected sections of a particular input signal within a video file suitable for replay at a later time (Col. 4 line 38-50, Fig. 4. Col. 5 line 17-19)

16. Regarding claim 14, the video system of claim 1, wherein each video file is stored to the internal fixed storage device as one or more records (Fig. 2 (103), Col. 4 line 25-28)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 5, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,311,011 by Kuroda in view of U.S. Patent No. 5,784,572 by Rostoker et al.

18. Regarding claim 5, Kuroda discloses compression by MPEG system but Kuroda fails to teach compression algorithm selected from among a plurality of available compression algorithms.

Rostoker teaches compression of video and audio signals selected by user. User can select the same compression for video and audio signal or user can select different algorithm for video and audio.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have flexibility for compressing video and audio signals that will be easier for a viewer.

19. Regarding claim 6, Kuroda discloses compression by MPEG system but Kuroda fails to teach compression algorithm selected from among a plurality of available compression algorithms which is user selectable.

Rostoker teaches compression of video and audio signals selected by user. User can select the same compression for video and audio signal or user can select different algorithm for video and audio (Col. 3 line 45-58).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have flexibility for compressing video and audio signals that will be easier for a viewer.

20. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,311,011 by Kuroda in view of U.S. Patent No. 6,493,763 by Suzuki.

21. Regarding claim 11, Kuroda discloses input signal receive from broadcast media but Kuroda fails to disclose advertisements.

Suzuki discloses multimedia network which has a CM selection unit for designating the selection of the presence or absence of the reception of a commercial advertisement. User can select the option of absence of a commercial advertisement. (Fig. 1 (13), Col. 4 line 40-56)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have option to select no advertisement in the input signal for viewer convenience.

22. Claims 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,311,011 by Kuroda in view of U.S. Patent No. 6,154,600 by Newman et al.

23. Regarding claim 12, Kuroda discloses system controller which has tuner, processing module, memory unit but Kuroda fails to teach manipulate sections of a particular video file.

Newman discloses a editing system for home audio and video applications includes a media editor that provides point and click audio and video functionality to modify the video files. (Fig. 12, Col. 16 line 26-30)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have manipulate unit to manipulate a particular video files for future purpose. Viewer can watch those manipulated video files later.

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24. Regarding claim 13, Kuroda discloses system controller which has tuner, processing module, memory unit but Kuroda fails to teach manipulate sections consisting cut, copy, paste, or a combination.

Newman discloses a editing system for home audio and video applications includes a media editor that provides point and click audio and video functionality to modify the video files. (Fig. 12, Col. 16 line 26-30)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have manipulate unit to manipulate a particular video files for future purpose. Viewer can watch those manipulated video files later.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) 6,413,233 (2) 6,744,967 (3) 5,995,705 (4) 5,701,383

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

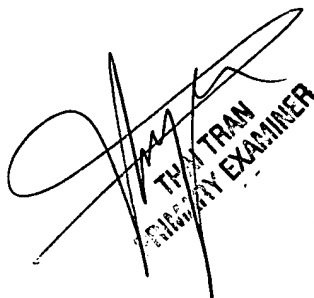
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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07/06/2006



TRAN
PRIMARY EXAMINER